THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.27429 OF 2007

DATED: 20.12.2007

Between:

H. Ramanjaneyulu and another

.. Petitioners

And

A.P. Social Welfare Residential Educational Institutions Society, Masab Tank, Hyderabad, rep. by its Secretary.

.. Respondent

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.27429 OF 2007

ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondent in not granting the minimum time scale of pay in the revised pay scales 2005 i.e. Rs.3,850/- with effect from 01.04.2005 to the petitioners as arbitrary and illegal; and consequently to direct the respondent to implement G.O.(P).No.238 Finance (PC-III) Department, dated 23.09.2005.

2. It is the case of the petitioners that they are working as Helper and Attender respectively in the 1st respondent Society's school at Kalasamudram, Kadiri, with effect from 12.02.1989 and 01.01.1991 respectively. Though they are fully qualified and eligible for regularization of their services, the respondent did not regularize their services, however, extended the minimum time scale of pay as per revised pay scales 1986. While that being so, in pursuance to revision of pay scales in the year 2005, the Government has issued G.O.(P) No.238 dated 23.09.2005 to the effect that minimum of the lower pay scale i.e. Rs.3,850/- should be granted to full time contingent employees. Thereafter, the Society has also issued a circular, dated 07.05.2007, in Rc.No.G2/349/2005, stating that it was decided to allow

the minimum of corresponding pay scale in revised pay scales 2005 to the non-teaching/Class IV employees, whose services were not regularized and who were continuing on court orders. Now, the grievance of the petitioners is that, in spite of the above said G.O. and circular, they are not being extended the minimum time scale of pay in revised pay scales 2005, which is arbitrary and illegal.

3. In the facts and circumstances, without expressing any opinion on merits, the respondent is directed to consider the case of the petitioners for extension of minimum time scale of pay in revised pay scales 2005, in the light of G.O.(P).No.238 Finance (PC-III) Department, dated 23.09.2005, read with its Circular, dated 07.05.2007, in Rc.No.G2/349/2005, and pass appropriate orders, as per law, within a period of eight weeks from the date of receipt of a copy of this order, and communicate the same to the petitioners.

4. With the above direction, the writ petition is disposed of. No order as to costs.

_____

JUSTICE C.V. RAMULU

20th December, 2007.
IBL